

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
DANVILLE DIVISION

SEP - 7 2007

JOHN F. CORCORAN, CLERK  
BY: *[Signature]*  
DEPUTY CLERK

CORNELIA Y. PALMER, )  
                        )  
Plaintiff,           )  
                        )  
v.                    )  
                        )  
MICHAEL J. ASTRUE<sup>1</sup>, )  
Commissioner of Social Security, )  
                        )  
Defendant.           )

Case No. 4:06CV00079

**ORDER**

By: Jackson L. Kiser  
Senior United States District Judge

On January 3, 2007, this Court entered an *Order* [6] referring this case to the Honorable B. Waugh Crigler, United States Magistrate Judge, for proposed findings of fact and a recommended disposition. Motions for Summary Judgment were filed by both the Plaintiff and the Defendant. The Magistrate Judge filed his *Report and Recommendation* [16] on July 31, 2007. After a careful review of the entire record in this case and with no objections having been filed to the Magistrate Judge's *Report* within ten (10) days of its service upon the parties, this Court adopts the Magistrate Judge's *Report* in its entirety. Accordingly, it is this day ADJUDGED and ORDERED as follows:

1. The *Report and Recommendation* of the United States Magistrate Judge, filed July 31, 2007, shall be, and hereby is, **ADOPTED** in its entirety.
2. For the reasons stated in the Magistrate Judge's *Report*, the Commissioner's final decision is hereby **AFFIRMED**, the Commissioner's Motion for Summary Judgment

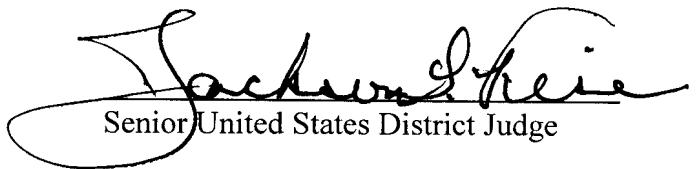
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<sup>1</sup> Michael J. Astrue became the Commissioner of Social Security on February 12, 2007, succeeding Jo Anne B. Barnhart in that position. Consequently, under Fed. R. Civ. P. 25(d)(1) Mr. Astrue is automatically substituted as Defendant.

is **GRANTED**, and this case is hereby **DISMISSED** from the active docket of this Court.

3. The clerk is directed to strike this case from the active docket of this Court and to send certified copies of this *Order* to all counsel of record and to Magistrate Judge B. Waugh Crigler.

ENTERED this 7<sup>th</sup> day of September, 2007.



*Jackson L. Kiehl*  
Senior United States District Judge